



Application No. 09/382,141

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ferguson et al.

Title: SYSTEM AND METHOD
OF DETERMINING A
KNOWLEDGE
MANAGEMENT
SOLUTION

Appl. No.: 09/382,141

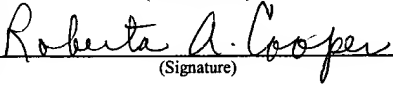
Filing Date: 08/24/1999

Examiner: Colon, Catherine M.

Art Unit: 3623

Confirmation No.: 4862

Atty. Dkt. No.: 026167-0616

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 505572499 US	08/05/04
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

TRANSMITTAL

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith, please find the following documents:

- [X] Issue Fee Transmittal (2 pages).
- [X] Form PTOL-85(B) (1 page).
- [X] Communication (2 pages).
- [X] Check number 14382 for \$1,330.00 in payment of Issue Fee.
- [X] Comment on Examiner's Reason for Allowance (2 pgs.).

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

8/5/04

By



FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5740
Facsimile: (414) 297-4900

Scott D. Anderson
Attorney for Applicant
Registration No. 46,521



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ferguson et al.
Title: SYSTEM AND METHOD OF
DETERMINING A
KNOWLEDGE
MANAGEMENT SOLUTION

Application No.: 09/382,141
Filing Date: 08/24/99
Examiner: C. Colon
Art Unit: 2163
Atty. Dkt. No. 026167-0616

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231.	
EV 505572499 US	08/05/04
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

COMMUNICATION

This Communication is submitted along with payment of the Issue Fee.

Title of Application

The title identified on the Notice of Allowance and Fee(s) Due is incorrect. The title to the Application was amended in a Reply and Amendment filed on October 15, 2002. The title of the Application was changed from:

**"DIAGNOSTIC APPARATUS FOR AND METHOD OF
DETERMINING A KNOWLEDGE MANAGEMENT SOLUTION"**

to:

**--SYSTEM AND METHOD OF DETERMINING A KNOWLEDGE
MANAGEMENT SOLUTION--.**

This amendment to the title was entered by the Examiner with the non-final Office Action dated January 14, 2003.

In a telephone conversation on August 5, 2004 with counsel for the Applicants, the Examiner confirmed that this amendment to the title had been entered.

The Examiner instructed the Applicants to file a letter communication with the payment of the issue fee (so that the patent would issue with the amended title).

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 8/5/04

FOLEY & LARDNER LLP
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367
Telephone: (414) 297-5740
Facsimile: (414) 297-4900

By 
Scott D. Anderson
Attorney for Applicant
Registration No. 46,521



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ferguson et al.
Title: SYSTEM AND METHOD OF
DETERMINING A
KNOWLEDGE
MANAGEMENT SOLUTION
Application No.: 09/382,141
Filing Date: 08/24/99
Examiner: C. Colon
Art Unit: 2163
Atty. Dkt. No. 026167-0616

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231.	
EV 505572499 US	08/05/04
(Express Mail Label Number)	(Date of Deposit)
Roberta A. Cooper	
(Printed Name)	
	
(Signature)	

COMMENT ON EXAMINER'S REASON FOR ALLOWANCE

This Comment on Statement of Reasons for Allowance is intended to be responsive to the Statement of Reasons for Allowance provided in Notice of Allowance and Issue Fee(s) Due dated May 11, 2004, and is submitted under 37 C.F.R. § 1.104.

On page 3 of the Notice of Allowability, the Examiner provided a "statement of reasons for allowance." The Examiner stated:

None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a tool, system and method of classifying an individual in a work environment as a member of at least one of a plurality of work pattern groups comprising a first group, a second group, a third group, a fourth group, a fifth group, and a sixth group, comprising: measuring a work characteristic of the individual associated with performance of work by the individual; and identifying the individual as a member of at least one of the plurality of work pattern groups based on the work characteristic measured for the individual; wherein work characteristics associated with the first group include a tight work focus, highly protocolled work processes, and a low degree of interaction with other individuals in the work environment; wherein work characteristics associated with the second group include a contextual work focus, moderately protocolled work processes,

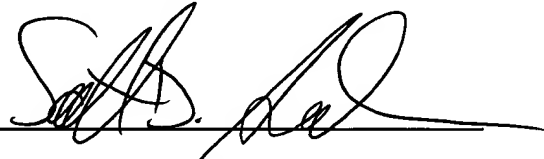
and a moderate degree of interaction with other individuals in the work environment; wherein work characteristics associated with the third group include a wide work focus, logistics-oriented work processes, and a high degree of interaction with other individuals in the work environment; wherein work characteristics associated with the fourth group include a wide work focus, highly variable work processes, and a high degree of interaction with other individual in the work environment; wherein work characteristics associated with the fifth group include a contextual work focus, moderately variable work processes, and a moderate degree of interaction with other individuals in the work environment.

While the Applicant agrees that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicant does not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the Applicant notes that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicant expressly reserves the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

Respectfully submitted,

Date 8/5/04

FOLEY & LARDNER LLP
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5367
Telephone: (414) 297-5740
Facsimile: (414) 297-4900

By 
Scott D. Anderson
Attorney for Applicant
Registration No. 46,521